

JOURNAL OF THE HOUSE.

Monday, June 13, 2005.

Met according to adjournment, at eleven o'clock A.M., in an Informal Session, with Mr. Petrolati of Ludlow in the Chair (having been appointed by the Speaker, under authority conferred by Rule 5, to perform the duties of the Chair).

Prayer was offered by the Reverend Robert F. Quinn, C.S.P., Chaplain of the House, as follows:

Prayer.

God, Our Creator, the Ultimate Source of Compassion and Truth, each day we struggle to serve You and the people, who depend upon our rational decisions, in an honorable and right manner. We depend upon You and Your assistance as we evaluate and select the best possible legislative options which are available to us. We pray that our minds and hearts will always be aware of and open to the many material and spiritual needs of the people in our changing and diverse communities. Help us to set legislative and personal goals and to organize our priorities which are realistic, relevant and ethical.

Grant Your blessings to the Speaker, the members and employees of this House and their families. Amen.

Pledge of allegiance.

At the request of the Chair (Mr. Petrolati), the members, guests and employees joined with him in reciting the pledge of allegiance to the flag.

Resolutions.

The following resolutions (filed with the Clerk) were referred, under Rule 85, to the committee on Rules:

Order of Red Men.

Resolutions (filed by Ms. Gifford of Wareham) congratulations to the Order of Red Men on the one hundredth anniversary of their organization in Wareham;

James H. Santos.

Resolutions (filed by Mrs. Haddad of Somerset) congratulating James H. Santos on the occasion of his retirement;

Salem, Plummer Home for Boys.

Resolutions (filed by Mr. Keenan of Salem) congratulating the Plummer Home for Boys in Salem, Massachusetts on their one hundred and fiftieth anniversary;

Eugene John Pastore.

Resolutions (filed by Mr. Rush of Boston) honoring Eugene John Pastore on his twenty-six years of dedicated service in the city of Boston;

Judith Poulin.

Resolutions (filed by Mr. Scibak of South Hadley) congratulating Judith Poulin on her retirement;

V. Ursula St. Amand.

Resolutions (filed by Mr. Smola of Palmer) honoring V. Ursula St. Amand;

James W. Thompson.

Resolutions (filed by Mr. Smola of Palmer) congratulating James W. Thompson on the occasion of his retirement;

Norman MacDonald.

Resolutions (filed by Messrs. Stanley of Waltham and Koutoujian of Waltham) congratulating Norman MacDonald on the occasion of his retirement from the Waltham Public School Department;

Resolutions (filed by Mr. Turkington of Falmouth) honoring Tom S. Bennett for his service to the community of Martha's Vineyard; and

Tom S. Bennett.

Resolutions (filed by Mr. Turkington of Falmouth) congratulating Dr. Peter L. Clark on his retirement;

Peter L. Clark.

Mrs. Parente of Milford, for the committee on Rules, reported, in each instance, that the resolutions ought to be adopted. Under suspension of the rules, in each instance, on motion of Mr. Donato of Medford, the resolutions (reported by the committee on Bills in the Third Reading to be correctly drawn) were considered forthwith; and they were adopted.

Communications.

Communications

From the Executive Office of Environmental Affairs (under Section 20(b) of Chapter 21A of the General Laws) submitting the fully executed Environmental Joint Power Agreement for the A-B-C Stormwater Flooding Board; and

Alewife Brook, power agreement.

From the Board of Trustees of the Health Care Security Trust (under the provisions of Section 4(h) of Chapter 29D of the General Laws) submitting an operating trust agreement;

Health Care Security Trust.

Severally placed on file.

Papers from the Senate.

A report of the committee on Elder Affairs, asking to be discharged from further consideration of the petition (accompanied by bill, Senate, No. 408) of Richard T. Moore, Scott P. Brown, Shirley Gomes, Edward G. Connolly and other members of the General Court for legislation to establish collaborative drug therapy management to improve pharmaceutical care for patients in Massachusetts,— and recommending that the same be referred to the committee on Health Care Financing.

Drug therapy management.

A report of the committee on Health Care Financing, asking to be discharged from further consideration Of the petition (accompanied by bill, Senate, No. 759) of Dianne Wilkerson and Cory Atkins for legislation relative to coverage for asthma education and training,— and recommending that the same be referred to the committee on Financial Services.

Asthma education, coverage.

Reports

Of the committee on Housing, asking to be discharged from further consideration

Of the petition (accompanied by bill, Senate, No. 804) of Robert A. O'Leary and Eric Turkington (by vote of the town) for legislation to impose a tax on new residential construction for the benefit of community housing;

Nantucket, community housing.

Of the petition (accompanied by bill, Senate, No. 806) of Robert A. O'Leary and Eric T. Turkington for legislation to amend the Nantucket Islands Land Bank Act to allow for additional transfer fee exemption; and

Nantucket, land bank.

Residential  
units,  
deleading.

Of the petition (accompanied by bill, Senate, No. 814) of Richard R. Tisei, Brian P. Lees, Michael R. Knapik, Bruce E. Tarr and other members of the General Court for legislation to encourage deleading of residential units;

And recommending that the same severally be referred to the committee on Revenue.

Severally accepted by the Senate, were considered forthwith, under Rule 42; and they were accepted, in concurrence.

Holyoke  
Power and  
Electric  
Company.

A petition of Michael R. Knapik and Michael F. Kane for legislation to restrict the authority of the Holyoke Power and Electric Company and the Holyoke Water Power Company, came from the Senate referred, in compliance with Joint Rule 9, to the committee on Telecommunications, Utilities and Energy.

The House then concurred with the Senate; and the petition (accompanied by bill, Senate, No. 2082) was referred, in concurrence, to the committee on Telecommunications, Utilities and Energy.

Taunton,  
drag racing.

A petition (accompanied by bill, Senate, No. 2084) of Marc R. Pacheco, James H. Fagan, Stephen R. Canessa and Patricia A. Haddad (with approval of the mayor and city council) for legislation relative to drag racing in the city of Taunton, was referred, in concurrence, to the committee on Public Safety and Homeland Security.

#### *Reports of Committees.*

Health care,  
trust fund.

By Mr. Donato of Medford, for the committee on Steering, Policy and Scheduling, that the House Bill relative to the health care security trust fund (House, No. 3835, changed) be scheduled for consideration by the House.

Under suspension of Rule 7A, on motion of the same member, the bill was read a second time forthwith; and it was ordered to a third reading.

County  
issues,  
study.

By Ms. Kaprielian of Watertown, for the committee on Municipalities and Regional Government, on Senate, Nos. 22, 1164 and 1195 and House, Nos. 3560, 3566 and 3607, an Order relative to authorizing the committee on Municipalities and Regional Government to make an investigation and study of certain Senate and House documents concerning municipal and county issues (House, No. 4160). Referred, under Joint Rule 29, to the committees on Rules of the two branches, acting concurrently.

Subsequently Mr. Scaccia of Boston, for said committees, reported asking to be discharged from further consideration of said order; and recommending that the same be referred to the House committee on Rules.

Under Rule 42, the report was considered forthwith; and it was accepted.

Affordable  
housing,  
financing.

By Mr. Flynn of Bridgewater, for the committee on Bonding, Capital Expenditures and State Assets, that the Bill relative to financing the production of affordable housing (House, No. 2610) ought to pass

with an amendment substituting therefor a Bill relative to financing the production of affordable housing (House, No. 4161). [Bond Issue: \$200,000,000.00]. Referred, under Rule 33, to the committee on Ways and Means with an amendment (House, No. 4161) pending.

By Mr. Flynn of Bridgewater, for the committee on Bonding, Capital Expenditures and State Assets, on a petition, a Bill authorizing the conveyance of certain land in the town of Tewksbury to Mr. Robert W. Laffreniere (House, No. 1421).

Tewksbury  
land  
transfer.

By the same member, for the same committee, on a petition, a Bill authorizing Capital Asset Management and Maintenance to convey certain land to the town of Hingham (House, No. 1430).

Hingham,  
land  
conveyance.

By the same member, for the same committee, on House, No. 1431, a Bill authorizing the Division of Capital Asset Management and Maintenance to convey a certain parcel of land in the city of Marlborough (House, No. 4162).

Marlborough,  
land  
conveyance.

Severally read; and referred, under Rule 33, to the committee on Ways and Means.

By Mr. DeLeo of Winthrop, for the committee on Ways and Means, that the Bill partially releasing a non-development covenant restriction on certain land in the town of Granby and authorizing certain agreements for the Daly Memorial Rink in Brighton (Senate, No. 2038, amended) ought to pass. Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Granby,  
covenant  
release.

By Ms. Kaprielian of Watertown, for the committee on Municipalities and Regional Government, on a petition, a Bill affecting county commissioners (House, No. 1618).

County  
commissioners.

By the same member, for the same committee, on a petition, a Bill providing for county advisory boards on economic development, regional planning and intergovernmental relations (House, No. 1622).

County  
advisory  
boards.

Severally read; and referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

By Mr. Donato of Medford, for the committee on Steering, Policy and Scheduling, that the following matters be scheduled for consideration by the House:

House bills  
Establishing the Massachusetts principal and income act (House, No. 760);

Principal and  
income act.

Designating the Attleboro District Courthouse as the James H. Sullivan Courthouse (House, No. 842);

Sullivan  
courthouse.

Amending an act relative to the water commissioners of the town of Spencer (House, No. 3229);

Spencer,  
water  
commissioners.

Authorizing Spencer to lease certain property (House, No. 3230);

Spencer, lease.

Relative to the reporting of revenue for the service of civil process by constables (House, No. 3576);

Civil process,  
reporting.

Relative to compensated absences in cities and towns (House, No. 3584); and

Municipalities,  
funds.

Open-air  
parking  
lots.

Relative to open-air parking lots (House, No. 3594);  
Severally placed in the Orders of the Day for the next sitting for a  
second reading.

Peabody,  
voting  
precinct.

By Mr. Petrucci of Boston, for the committee on Election Laws,  
on a petition, a Bill establishing a voting precinct in the city of  
Peabody (House, No. 3415) [Local Approval Received].

Melrose,  
health  
insurance.

By Ms. Kaprielian of Watertown, for the committee on Municipa-  
lities and Regional Government, on a petition, a Bill relative to  
the health insurance of active and retired employees of the city of  
Melrose (House, No. 4064) [Local Approval Received].

Milton,  
wage  
adjustments.

By the same member, for the same committee, on a petition, a  
Bill authorizing the town of Milton to appropriate money for  
retroactive wage adjustments (House, No. 4114) [Local Approval  
Received].

Severally read; and referred, under Rule 7A, to the committee on  
Steering, Policy and Scheduling.

Mr. Donato of Medford, for said committee, reported that the  
matters be scheduled for consideration by the House; and, under said  
rule, they were placed in the Orders of the Day for the next sitting  
for a second reading.

Barnstable  
Fire  
District.

By Ms. Kaprielian of Watertown, for the committee on Municipali-  
ties and Regional Government, ought NOT to pass, on the petition  
(accompanied by bill, House, No. 3559) of Demetrius J. Atsalis  
relative to the transfer of certain funds of the Barnstable Fire District.

Onset  
Fire  
District.

By the same member, for the same committee, ought NOT to  
pass, on the petition (accompanied by bill, House, No. 3946) of  
Susan Williams Gifford for legislation to provide for the appoint-  
ment of a clerk-treasurer for the Onset Fire District.

Severally referred, under Rule 7A, to the committee on Steering,  
Policy and Scheduling.

Mr. Donato of Medford, for said committee, reported that the  
matters be scheduled for consideration by the House; and, under said  
rule, they were placed in the Orders of the Day for the next sitting,  
the question, in each instance, being on acceptance.

#### *Orders of the Day.*

Third  
reading  
bill.

The Senate Bill designating a portion of state highway route 122-  
north in the towns of Paxton, Rutland, Oakham and Barre as a scenic  
byway (Senate, No. 1881, changed), reported by the committee on  
Bills in the Third Reading to be correctly drawn, was read a third  
time; and it was passed to be engrossed, in concurrence.

Holbrook,  
easements.

The Senate Bill authorizing certain easements in the town of Hol-  
brook for construction and maintenance of a water main (reported by  
the committee on Bills in the Third Reading to be correctly drawn)  
(Senate, No. 2077, amended) was read a third time.

Pending the question on passing the bill to be engrossed, in con-  
currence, Mr. Mariano of Quincy moved that it be amended by  
adding at the end thereof the following section:

“SECTION 2. This act shall take effect upon its passage.”.

The amendment was adopted; and the bill (Senate, No. 2077,  
amended) was passed to be engrossed, in concurrence. Sent to the  
Senate for concurrence in the amendment adopted by the House.

#### *Order.*

On motion of Mr. DiMasi of Boston,—

*Ordered*, That when the House adjourns today, it adjourn to meet Next  
sitting.  
on Wednesday next at eleven o'clock A.M.

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At twenty minutes after eleven o'clock A.M., on motion of  
Mr. Donato of Medford (Mr. Petrolati of Ludlow being in the  
Chair), the House adjourned, to meet on Wednesday next at eleven  
o'clock A.M.